

JUN 18 2013

MEMORANDUM
TO THE HONORABLE Sandra Feuerstein United
States District Judge Eastern District of New York

Re: McDonnell, Eamonn Docket # 11-CR-260-01

Request for Voluntary Departure

Reference is made to the above-named individual who was sentenced by Your Honor on March 15, 2012, to four months custody, three years supervised release and a \$100 special assessment. Special conditions include that the defendant shall cooperate with the Internal Revenue Service; submit his person, residence, place of business, vehicle or any other premises under his control to a search; participate in a substance abuse program as directed; and provide full financial disclosure. This sentence followed the offender's conviction for Failure to Collect, Account for, and Pay Over Employment Taxes in violation of 26 U.S.C. 7202, a Class D Felony. Supervision commenced on October 31, 2012.

According to records maintained by the Department of Homeland Security, on October 7, 1992, the offender was legally admitted to the United States, and is currently residing here as a legal permanent resident.

The offender is requesting permission to permanently relocate to his native country of Ireland, where his family resides. The offender is a widower with a nine year old daughter. He has advised that he has no family in the United States and he will be able to find employment in Ireland with the assistance of his family. The offender plans to enroll his daughter in school in Ireland, beginning in August of 2013. She will reside with the offender's parents until he is able to join her. If the defendant is allowed to self deport, post release supervision would be held in abeyance until his supervised release period concludes, on October 30, 2015. However, should he return to the United States, legally, prior to October 30, 2015, he must report to the nearest Probation Office within 72 hours of arrival, at which point supervision will re-commence.

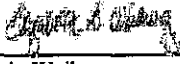
We have no objections to his request to voluntarily depart the United States. If Your Honor approves this request we will verify his departure and advise the offender that if he returns to the United States illegally, it will be considered a separate crime for which he could be prosecuted.

Respectfully submitted,


EILEEN KELLY

Chief U.S. Probation Officer

Prepared by:


Elizabeth A. Weiburg
U.S. Probation Officer

Approved by:


Lawrence Cavagnetto
Supervising U.S. Probation Officer

June 14, 2013

☒ Request for voluntary departure approved
☐ Request for voluntary departure denied

U.S. District Judge s/ Sandra J. Feuerstein


Date JUN 18, 2013